

1 The Court: Well, Mr. Poluk, your lawyer has set forth your position  
2 very well, and I am certain Mr. Asselin would agree, and I am  
3 certain that the R.C.M.P. representative here would agree that  
4 this legislation leaves very much -- let's put it another way.  
5 This is very poor legislation under which we had to act. You  
6 can take it from me that I -- you might not know this, but you  
7 do know that I made a personal trip out to see you at the  
8 Correctional Institute, which is probably unusual for a Judge,  
9 but I was sufficiently worried about your case. I also must  
10 have spent six different phone calls with lawyers and legal  
11 representatives, and this was in an attempt to get as early  
12 a psychiatric examination as possible, and in an effort to  
13 get you into a hospital as soon as possible, because I would  
14 agree with your counsel that the legislation as drafted is  
15 completely unworkable. It is not only unworkable, but it is  
16 in competition with another branch of legislation, namely  
17 the Hospital Act, passed by the same Territorial Council, and  
18 I find it almost incomprehensible that the same people could  
19 pass two statutes which are not only in competition with each  
20 other and not work therefore, but can not be made in  
21 themselves to work within the physical situations of the  
22 Northwest Territories. I could have expected that to happen  
23 from people in Ottawa, but when you have people living right  
24 here in <sup>the Territories</sup> ~~Yellowknife~~ passing this type of legislation, the  
25 very same people that complain about the fact that Ottawa  
26 doesn't understand local conditions I begin to wonder.

27 So, I am not going to let it stop there. I am going

1 to collect copies of the evidence in this case and I am  
2 going to send a very strongly worded recommendation that the  
3 legislation be looked at and reviewed and changed, and in the  
4 meantime it may not be worth anything but I am going to suggest  
5 to the Government they pay two hundred dollars to you by way  
6 of compensation, but I want to make it clear that I do not  
7 consider in any way that the police or the crown acted  
8 wrongly. They did everything within the limits of the  
9 legislation that they knew to save your life and to help you.  
10 It has turned out fortunately and I am very pleased, and I  
11 know you are, that you don't need to be incarcerated any more.  
12 I don't think I can say any more than that.

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14 *JV October 1971*

15 *Alf Peters*

16 J7C  
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